

PUSHCART PERMIT INFORMATION SHEET

1. City Ordinance #3024 (Sidewalk Uses Ordinance) authorizes the permitting of and outlines regulations for pushcarts to be located in the Central Business District (downtown) and in Biltmore Village. Sec. 16-144 of the Sidewalk Uses Ordinance outlines the pushcart requirements.
2. Complete the attached application and include the following items:
 - Current photo of the pushcart. If the pushcart has not been built yet, include a drawing showing the design of the pushcart. The trash receptacle, and if applicable, cooler, must be attached to the pushcart. Please be sure to show the trash receptacle and cooler in the photo or drawing.
 - Pushcart dimensions: Height, Width, Length, Total sq. ft. (length X width), Height of umbrella above cart
 - First choice and second choice for your pushcart location
 - Certificate of Insurance (\$1,000,000 for food / \$25,000 for merchandise)
(City Of Asheville must be shown as additional insured or permit will not be issued.)
 - City Privilege License
 - Health Dept. Certificate (food only) or letter of non-requirement from Health Department
 - Wording of any signage on cart or umbrella
 - Permit application fee
3. The Certificate of Insurance must be for \$1,000,000 for pushcarts selling food or \$25,000 for pushcarts selling merchandise. **Include the City of Asheville as "Additional Insured"**.
4. The Privilege License may be obtained from the Customer Services Division, located on the First Floor of City Hall (828-251-1122).
5. The Health Dept. Certificate (or a letter from the Health Dept. stating that a Certificate is not required) may be obtained from the Health Dept., located at 35 Woodfin St. (828-250-5016). Health Dept. Certificates are required for most food products.
6. Include the name, address, and phone # of the sponsoring restaurant (food pushcarts only).
7. Submit the completed application, ALL required documents, and permit fee (if paying by check – make check payable to the City of Asheville) to the Office of Economic Development, 29 Haywood Street, Asheville, NC 28801.
8. Once your application has been processed, you will be mailed an approved copy of your application. The approved application, privilege license, and health department certificate must be displayed on your pushcart.
9. The permit year runs from July 1 until June 30th of the following year.

If you have any questions, please call:

Office of Economic Development - (828) 232-4505.

Fax # (828) 232-4506

LOCATION _____

1st Choice _____

2nd Choice _____

_____MERCHANDISE

_____FOOD

PUSHCART PERMIT

Date of Application _____

Permit Expires: June 30, _____

Name of Applicant: _____
(Please Print)

Home phone _____

Address: _____

Sponsoring Restaurant: _____

Business phone _____

Address: _____

List ALL Type(s) of food/merchandise to be sold _____

Proposed days and hours of operation _____

PLEASE ATTACH THE FOLLOWING:

_____ A current photo of the pushcart. If the pushcart has not been built yet, include a drawing showing its design.

_____ Pushcart dimensions: _____ Height, _____ Width, _____ Length, _____ Total sq. ft. (length X width)
_____ Height of umbrella above cart

_____ Certificate of Insurance (\$1,000,000 for food / \$25,000 for merchandise)
(SHOW CITY OF ASHEVILLE AS ADDITIONAL INSURED)

_____ City Privilege License

_____ Health Dept. Certificate (food only) or letter of non-requirement from Health Department

_____ Permit Application Fee

Wording of any signage on cart or umbrella _____

Trash receptacle attached: _____Y _____N Cooler attached: _____Y _____N (Must Be Attached To Cart)

The undersigned hereby certifies that he/she has reviewed and agrees to abide by the requirements for pushcart vending as set forth in Article V of Chapter 16 of Code of Ordinances of the City of Asheville. The undersigned further agrees to indemnify and hold harmless the City of Asheville, its officials, officers and employees, from and against any and all claims, causes of action, suits, damages, costs, losses and expenses (including, but not limited to, attorney's fees) for personal injury and/or property damage which arise out of or may be related to activities, or activities related to those activities, as described in this permit, save and excepting therefrom any negligence of or by the City of Asheville, its officials, officers, or employees.

Further, the undersigned agrees to indemnify and hold harmless the City of Asheville, its officials, officers and employees, from and against any and all claims, causes of action, suits, damages, cost, losses and expenses (including, but not limited to, attorney's fees) which arise out of or may be related to the failure of the undersigned to comply with the Americans with Disabilities Act (the "Act"), the North Carolina State Building Code (the "Code"), any regulations promulgated pursuant to the Act or the Code and all other health and safety laws and regulations.

APPLICANT SIGNATURE: _____

APPLICANT NAME : _____
(Please Print)

FOR OFFICE USE

_____ Permit form complete
_____ Attachments

_____ Downtown Design Review
_____ Permit fee paid (\$125)

APPROVALS

_____ Police
_____ Risk Management
_____ HRC Director (Biltmore Village)

_____ ECONOMIC DEVELOPMENT DIRECTOR

_____ Date

ADDITIONAL PUSH CART GUIDELINES

5/27/05

The ordinance defines a pushcart as a wheeled cart specifically designed and used for displaying, keeping, or storing any food, beverages or other articles for sale by a vendor, which may be moved by one person without the assistance of a motor.

The pushcart shall have the features of a standard pushcart (i.e. handles, at least 6 in. wheels, a display surface, etc.) and the dimensions of the pushcart must meet the following size requirements:

- a. Pushcarts shall be a minimum of 28 inches (2 ft. 4 in.) tall and shall not exceed 54 inches (4 ft. 6 in.) in height, as measured from the ground to the highest point of the pushcart;
- b. Pushcarts shall be a minimum of 24 inches (2 ft.) in width and a minimum of 36 inches (3 ft.) in length, which totals 6 square feet, but in no event exceed 24 square feet as measured in length and width (the overall footprint), excluding any trailer hitch; and
- c. Five feet (5') for the height of any umbrella affixed to the pushcart, as measured from the base of the umbrella to the highest point of the umbrella. No freestanding umbrella or canopy shall be used.
- d. The wheels on the pushcart must be no less than 6 inches in diameter.

The City reserves the right to require smaller dimensions based upon such factors as, but not limited to, pedestrian and vehicular safety and adequate sight distances.

**APPROVED PUSHCART LOCATIONS
CENTRAL BUSINESS DISTRICT
(revised July 1, 2005)**

1. Pritchard Park: 4 locations
2. Pack Place: 2 locations
 - a) the circular area in front of Pack Place next to the wall and tree
 - b) under the Pack Place sign
3. Asheville Art Museum
4. City County Plaza: 3 locations
 - ~~a) City Hall, on right side, area between stairwell and power box~~ (Unavailable for permit year 2006-07)
 - b) Courthouse, on left side, next to courthouse building
 - ~~c) Courthouse, on left side, across from stage~~ (Unavailable for permit year 2006-07)
5. Corner of Haywood St. and College St. (between crosswalk and Poplar tree)
6. Pack Memorial Library, next to metal railing (MERCHANDISE ONLY)
7. Haywood Street
 - a) in front of CVS, next to curb
 - b) corner of Haywood St. and Walnut St. (behind northernmost bench and beside bike rack - Mobilia)
8. Battery Park:
 - a) corner next to Wall Street, in front of benches
 - b) wall on corner next to Kostas
 - c) wall next to Wall St. garage
9. Wall Street:
 - a) next to Wall Street at Climbing Center (2 locations)
 - b) next to Wall Street in front of Market Place Restaurant at 20 Wall St. (MERCHANDISE ONLY)
 - c) near Early Girl Eatery (MERCHANDISE ONLY)
 - d) between the two bollards behind the Urban Trail Iron
10. Pack Square - corner at Bonnie's Little Corner
11. Bus Station
12. Page Avenue
 - a) corner next to Kostas
 - b) bulbout next to Haywood Park Hotel parking lot (south side only)

MAP OF LOCATIONS ON REVERSE SIDE

PERMIT FEE SCHEDULE

Effective 7/1/03

| TYPE OF PERMIT | APPLICATION FEE | RENEWAL FEE |
|--|----------------------------|------------------------|
| | | |
| PUSHCART | \$125 | \$125 |
| | | |
| PUSHCART RELOCATION | \$75 | |
| | | |
| OUTDOOR DINING/MERCHANDISE Less than 30 sq. ft. | \$175 | \$25 |
| | | |
| OUTDOOR DINING/MERCHANDISE ENCROACHMENT AGREEMENT | | |
| 31-50 sq. ft. | \$ 250 | \$50 |
| 51-100 sq. ft. | \$ 350 | \$75 |
| 101-200 sq. ft. | \$ 500 | \$100 |
| 201-500 sq. ft. | \$1,000 | \$200 |
| 501+ sq. ft. | \$2,000 | \$400 |